



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,924	09/18/2003	Yet Chan	5402CON	7060

7590 03/17/2004

Samuels, Gauthier & Stevens LLP
Suite 3300
225 Franklin Street
Boston, MA 02110

EXAMINER

GRAY, DAVID M

ART UNIT	PAPER NUMBER
----------	--------------

2851

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/665,924

Applicant(s)

CHAN, YET

Examiner

David M Gray

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-55 and 57-62 is/are rejected.
- 7) ☒ Claim(s) 56 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 50-55 and 57-61 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by White et al. (6,447,176).

White et al. discloses a method of loading a film assembly, and a camera using the film assembly. The portion of the White et al. disclosure meeting the claim limitations is indicated in parentheses after the claimed step or structural element in the copy of applicant's claims below.

50. A method of loading a film assembly comprising a first film container (film cartridge 40) provided with an internal spool (spool 39) and an additional spoolless film container (film canister device 12) having a length of film a majority of which is wound in the spoolless film container, and which extends to the first film container, comprising the steps of:

- a) providing a bulk roll of film, withdrawing a free end therefrom and securing to a film winding tool (col 8, lns 27-29);
- b) in a dark environment rotating the film winding tool to wind the film into a coil about the tool (col 8, ln 45);
- c) removing the wound coil from the film winding tool and enclosing the coil in the additional film container so that the film extends through a film slot thereof (col 8, lns 51-56);

Art Unit: 2851

d) before or after step c) cutting the film unwound from the bulk roll off said bulk roll to give a trailing end (col 8, lns 33-35);

e) securing said trailing end of film to the first film container (col 8, lns 35-38).

51. A method according to claim 50 wherein the film container is a conventional film patrone having a central spool, at step e) the said trailing film end being secured to the central spool (film cartridge 40 is clearly a so-called “conventional film patrone” and the disclosed “placed and firmly fixed within a film cartridge such as film cartridge 40” clearly refers to attaching the film to the spool 39 as such is required in order to wind the film back into the film cartridge).

52. A method according to claim 50 utilizing an additional container which comprises a housing which is closed by an end cap (end cap 52), the method involving, at step c), winding the film onto the film winding tool, followed by insertion of the tool having the film wound about the tool end into the additional film container (col 8, lns 51-56).

53. A method according to claim 52 wherein after removal of the film winding tool the end cap is secured to the housing (col 8, lns 57-61).

54. A method according to claim 50 utilizing an additional film container which comprises a housing formed in two half shells (inner sleeve assembly 46 and outer sleeve assembly 48) which co-operate to define a film slot therebetween (slot 60 and discharge opening 96 define the film slot), the method involving the step of, in a film winding apparatus, after step b), removing the film winding tool and enclosing the wound coil between the two half shells, with the film extending from the film slot (the film must extend from the slot as it is attached to spool 39).

Art Unit: 2851

55. A method according to claim 54 wherein the method includes the step of cutting the film from the bulk roll after it has been wound into the coil and before it is enclosed in the additional container (col 8, lns 33-38).

57. A method according to claim 50 further comprising the step of inserting the assembly of first film container and additional film container into a package which is sealed to contain the film containers (col 9, lns 33-43).

58. A film assembly when loaded according to the method of claim 50 (film package assembly 14 col 9, lns 33-43).

59. A camera when loaded with a film assembly according to claim 58 (camera 10 col 9, lns 33-43).

60. A method of loading a film assembly into a camera having a pair of film chambers arranged on opposite sides of an exposure opening and a camera back which closes the film chambers comprising the steps of:

- a) providing a bulk roll of film, withdrawing a free end therefrom and securing to a film winding tool (col 8, lns 27-29);
- b) in a dark environment rotating the film winding tool to wind the film into a coil about the tool (col 8, ln 45);
- c) removing the wound coil from the film winding tool and enclosing the coil in the additional film container so that the film extends through a film slot thereof (col 8, ln 51-56);
- d) before or after step c) cutting the film unwound from the bulk roll off said bulk roll to give a trailing end (col 8, lns 33-35);

Art Unit: 2851

- e) securing said trailing end of film to the first film container (col 8, lns 35-38);
- f) placing the film assembly in the camera with the containers in respective chambers and closing the camera back col 9, lns 33-36 and 40-43).

61. A method according to claim 60 wherein utilizing an additional film container which comprises a housing formed in two half shells (inner sleeve assembly 46 and outer sleeve assembly 48) which co-operate to define a film slot therebetween (slot 60 and discharge opening 96 define the film slot), the method involving the step of in a film winding apparatus, after step b), removing the film winding tool and enclosing the wound coil between the two half shells, with the film extending from the film slot (the film must extend from the slot as it is attached to spool 39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. 6,447,176 in view of Craig et al.

White et al. discloses the claimed method, as set forth above, except White et al. does not teach or suggest the claimed “pre-exposed” film and “alignment mark.”

Craig et al. teaches providing film having pre-exposed images thereon. Craig et al. teaches that such film requires an alignment mark (see col 6, lns 54-67).

It would have been obvious to one of ordinary skill at the time of applicant's invention to provide pre-exposed film for the White et al. method. One would have been motivated to so modify White et al. to add interest to the photographs taken by the White et al. camera.

Allowable Subject Matter

Claim 56 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

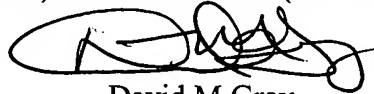
The following is a statement of reasons for the indication of allowable subject matter:
The prior art does not disclose or suggest "attaching a removable clip" in combination with the remaining claim steps as set forth in claim 56.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 571-272-2219. The examiner can normally be reached on M-T & T-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 571-272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David M Gray', enclosed within a large, loopy oval shape.

David M Gray
Primary Examiner
Art Unit 2851